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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

GARDERE WYNNE SEWELL, LLP  
3000 THANKSGIVING TOWER  
1601 ELM STREET, SUITE 3000  
DALLAS, TX 75201-4767

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**DEC 14 2005**

**OFFICE OF PETITIONS**

In re Application of  
Tim Mortenson, et al.  
Application No. 09/826,728  
Filed: April 5, 2001  
Attorney Docket No. 123971-1007

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-identified application, filed November 28, 2005.

The petition is GRANTED.

The application became abandoned for failure to pay the issue fee on or before October 17, 2005. Receipt is acknowledged of the requisite issue/publication fee on November 28, 2005.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Although the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement will be construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The application is being referred to Publishing Division.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (703) 305-8283.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy